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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/492,755	01/27/2000	Zeno Zuffa	33126/GM/ch	1334

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Modiano & Associati
Via Meravigli 16
Milano, 20123
ITALY

EXAMINER

LUK, EMMANUEL S

ART UNIT PAPER NUMBER

1722

DATE MAILED: 04/01/2003

16

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/492,755

Applicant(s)

ZUFFA, ZENO

Examiner

Emmanuel S. Luk

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 27 January 2000.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-12 and 14-16 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-12, 14-16 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other:

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. Claims 1-12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Alieria in view of Beck.

Alieria teaches a cylindrical jacket (30) provided on a male mold (1) and supported on a rotating carousel structure (35), a sleeve (5) and tubular stem (6) guided on the jacket having a lower annular segment, a plunger guided in the jacket, elastic means for urging the plunger in a raised molding position, a chamber connected to the interspace (8) and tube (7), the chamber connected to the insides of the tube by means of openings (12, 13) formed by tubular tang (4), a plate (3; pan) screwed into the vertical sleeve by means of a tubular tang of the plate, and forming with the stem, the chamber and hermetically entered with the wider portion (9) of the sleeve. The upper end of the tube having a plug (15) hermetically accommodated in the sleeve, while radial opening (21, 22) in the sleeve are connected respectively to openings (16, 17) in plug by annular grooves (23, 24) that allows for the delivery an return of a coolant liquid. A bush (25; element) through connectors is hermetically superimposed on the sleeve and two grooves which are connected for the delivery and return of the coolant liquid and having a spring (67) between the bush and structure of the carousel (Fig. 1). Compressed air is used to extract the caps from the plunger (3, 9) through an outlet (77) that runs from a channel (76) into a hole (78) that is connected to a source of pressurized air, wherein the feeding of compressed air inflates the cap and partially spaces the thread C from the portion 9, and reducing the resistance of the cap to expulsion (Col. 6, lines 39-60).

Aliera fails to teach a slender tube connected to the ports for the compressed air flow.

Beck teaches a molding apparatus having a male mold (31) and female mold (50) wherein, there is a tubular channel (34) and cylindrical interspace (Figures 1, 2, 4 and 6) providing coolant flow, while a slender tube (35) provides pressurized air flow towards the port (32) in the mold, the mold located within a sleeve (17). Beck teaches the port located at the front of the mold and connected via tube that is located within a larger tube (Fig. 1).

It would have been obvious to one of ordinary skill in the art to modify Aliera with the slender tube as taught by Beck because it allows for air flow to the outlet for air ejection. Examiner interprets that the compressed air flow in Aliera is used for air ejection. The structural limitations are met for air ejection and if this not the case, Beck teaches the use of compressed air for air ejection of the product.

2. Claims 14-16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Aliera in view of Beck.

Aliera teaches a cylindrical jacket (30) provided on a male mold (1) and supported on a rotating carousel structure (35), a sleeve (5) and tubular stem (6) guided on the jacket having a lower annular segment, a plunger guided in the jacket, elastic means for urging the plunger in a raised molding position, a chamber connected to the interspace (8) and tube (7), the chamber connected to the insides of the tube by means of openings (12, 13) formed by tubular tang (4), a plate (3; pan) screwed into the vertical

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sleeve by means of a tubular tang of the plate, and forming with the stem, the chamber and heritically entered with the wider portion (9) of the sleeve. The upper end of the tube having a plug (15) hermetically accommodated in the sleeve, while radial opening (21, 22) in the sleeve are connected respectively to openings (16, 17) in plug by annular grooves (23, 24) that allows for the delivery an return of a coolant liquid. A bush (25; element) through connectors is hermetically superimposed on the sleeve and two grooves which are connected for the delivery and return of the coolant liquid and having a spring (67) between the bush and structure of the carousel (Fig. 1). Compressed air is used to extract the caps from the plunger (3, 9) through an outlet (77) that runs from a channel (76) into a hole (78) that is connected to a source of pressurized air, wherein the feeding of compressed air inflates the cap and partially spaces the thread C from the portion 9, and reducing the resistance of the cap to expulsion (Col. 6, lines 39-60). Alieria also teaches the tubular stem (6) that is surrounds the tube (7) having a body (69) at the upper portion of the stem that accommodates a seat formed by the bush (25).

Alieria fails to teach a slender tube connected to the ports for the compressed air flow.

Beck teaches a molding apparatus having a male mold (31) and female mold (50) wherein, there is a tubular channel (34) and cylindrical interspace (Figures 1, 2, 4 and 6) providing coolant flow, while a slender tube (35) provides pressurized air flow towards the port (32) in the mold, the mold located within a sleeve (17). Beck teaches

the port located at the front of the mold and connected via tube that is located within a larger tube (Fig. 1).

It would have been obvious to one of ordinary skill in the art to modify Aliera with the slender tube as taught by Beck because it allows for air flow to the outlet for air ejection. Examiner interprets that the compressed air flow in Aliera is used for air ejection. The structural limitations are met for air ejection and if this not the case, Beck teaches the use of compressed air for air ejection of the product.

Response to Arguments

3. Applicant's arguments with respect to claims 1-12 and 14-16 have been considered but are moot in view of the new ground(s) of rejection. The applicant's argument concerning the combination of Aliera in view of Lachner et al is now moot. Beck teaches the molding apparatus having cooling and air ejection passages within the male mold. The claims are now rejected with Aliera in view Beck, and Aliera teaches the claimed molding structure of the apparatus including compressed air flow into the cap. Beck teaches a molding apparatus having both cooling means and air ejection.

Conclusion


4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Underwood and Brown et al.

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5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Emmanuel S. Luk whose telephone number is (703) 305-1558. The examiner can normally be reached on Monday through Friday 8 to 4.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Wanda L. Walker can be reached on (703) 308-0457. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 872-9310 for regular communications and (703) 872-9311 for After Final communications.

E.L.
March 28, 2003


ROBERT DAVIS
PRIMARY EXAMINER
GROUP 1300

3/28/03